



PATENT APPLICATION  
Mo-5334D  
LeA 32,322D

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

APPLICATION OF )  
STEFAN DUTZMANN ET AL ) GROUP NO.: 1616  
SERIAL NUMBER: 09/843,396 )  
FILED: APRIL 26, 2001 )  
TITLE: FUNGICIDE ACTIVE )  
SUBSTANCE COMBINATIONS )

**SUBMISSION OF OMITTED ITEMS IN A NONPROVISIONAL APPLICATION  
UNDER 37 CFR 1.53(b)**

Attention: Initial Patent Examination Division  
Assistant Commissioner for Patents  
Washington, D. C. 20231

Sir:

Enclosed is a Supplemental Declaration and Power of Attorney, executed by all of the inventors, together with a complete copy of the specification as filed for serial number 09/843,396. Applicants are also enclosing a copy of Formalities Letter dated June 20, 2001, as required.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an enveloped addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 7/12/01  
Date

Joseph C. Gil Reg. No. 26,602  
Name of applicant, assignee or Registered Representative

[Signature]  
Signature  
July 12, 2001  
Date


Please charge the fee for filing the Supplemental Declaration and complete specification, \$130.00, to Deposit Account Number 13-3848. This paper, submitted in triplicate, is also authorization to charge any insufficiency of fees which may be required by this paper to Deposit Account Number 13-3848.

Having now complied with all of the requirements under 37 CFR 1.53(b), Applicants request that the file be forwarded for examination.

Respectfully submitted,

STEFAN DUTZMANN  
KLAUS STENZEL  
MANFRED JAUTELAT

By

  
Joseph C. Gil  
Attorney for Applicants  
Reg. No. 26,602

Bayer Corporation  
100 Bayer Road  
Pittsburgh, Pennsylvania 15205-9741  
(412) 777-8342  
FACSIMILE PHONE NUMBER:  
(412) 777-8363

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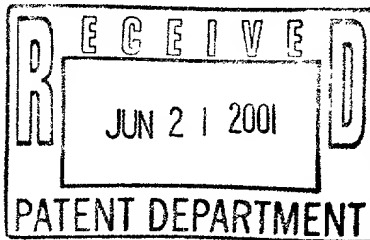
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## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/843,396	04/26/2001	Stefan Dutzmann	Mo5334/LeA 32,232

00157  
BAYER CORPORATION  
PATENT DEPARTMENT  
100 BAYER ROAD  
PITTSBURGH, PA 15205



CONFIRMATION NO. 4187

FORMALITIES LETTER



\*OC00000006202345\*

Date Mailed: 06/20/2001

## NOTICE OF OMITTED ITEM(S) IN A NONPROVISIONAL APPLICATION

## FILED UNDER 37 CFR 1.53(b)

A filing date has been accorded to the above-identified nonprovisional application papers; however, the following item(s) appear to have been omitted from the application:

- Page(s) 20 of the specification (description and claims).

I. Should applicant contend that the above-noted omitted item(s) was in fact deposited in the U.S. Patent and Trademark Office (USPTO) with the nonprovisional application papers, a copy of this Notice and a petition (and \$130.00 petition fee (37 CFR 1.17(h))) with evidence of such deposit **must** be filed within **TWO MONTHS** of the date of this Notice. The petition fee will be refunded if it is determined that the item(s) was received by the USPTO.

II. Should applicant desire to supply the omitted item(s) and accept the date that such omitted item(s) was filed in the USPTO as the filing date of the above-identified application, a copy of this Notice, the omitted item(s) (with a supplemental oath or declaration in compliance with 37 CFR 1.63 and 1.64 referring to such items), and a petition under 37 CFR 1.182 (with the \$130.00 petition fee (37 CFR 1.17(h))) requesting the later filing date **must** be filed within **TWO MONTHS** of the date of this Notice.

III. The failure to file a petition (and petition fee) under the above options (I) or (II) within **TWO MONTHS** of the date of this Notice (37 CFR 1.181(f)) will be treated as a constructive acceptance by the applicant of the application as deposited in the USPTO. **THIS TWO MONTH PERIOD IS NOT EXTENDABLE UNDER 37 CFR 1.136(a) or (b).** In the absence of a timely filed petition in reply to this Notice, the application will maintain a filing date as of the date of deposit of the application papers in the USPTO, and original application papers (*i.e.*, the original disclosure of the invention) will include only those application papers present in the USPTO on the date of deposit.

In the event that applicant elects not to take action pursuant to options (I) or (II) above (thereby constructively electing option (III)), amendment of the specification to renumber the pages consecutively and cancel incomplete sentences caused by any omitted page(s), and/or amendment of the specification to cancel all references to any omitted drawing(s), relabel the drawing figures to be numbered consecutively (if necessary), and correct the references in the specification to the drawing figures to correspond with any relabelled drawing figures, is required. Any drawing changes should be accompanied by a copy of the drawing figures showing the proposed changes in red ink. Such amendment and/or correction to the drawing figures, if necessary, should be by way of preliminary amendment submitted prior to the first Office action to avoid

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delays in the prosecution of the application.

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*A copy of this notice MUST be returned with the reply.*



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Initial Patent Examination Division (703) 308-1202

PART 1 - ATTORNEY/APPLICANT COPY

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